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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/557,757	11/18/2005	Nicolaas Bernardus Roozen	PHNL030571US	1566

38107 7590 02/05/2007  
PHILIPS INTELLECTUAL PROPERTY & STANDARDS  
595 MINER ROAD  
CLEVELAND, OH 44143

EXAMINER
VARGAS, DIXOMARA

ART UNIT	PAPER NUMBER
2859	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/05/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/557,757	<b>Applicant(s)</b> ROOZEN ET AL.	
	<b>Examiner</b> Dixomara Vargas	<b>Art Unit</b> 2859	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4, 15 and 16 is/are rejected.
- 7) ☒ Claim(s) 5-14 and 17-19 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 May 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. ____.                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>03/16/06</u> <i>10/16/06</i>                                  | 6) <input type="checkbox"/> Other: ____.                          |

## DETAILED ACTION

### *Claim Objections*

1. Claims 3, 5-9, 12-14 and 17-19 are objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim cannot depend from any other multiple dependent claim. See MPEP § 608.01(n). Accordingly, the claims 5-9, 12-14 and 17-19 not been further treated on the merits.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-4 and 15-16 are rejected under 35 U.S.C. 102(b) as being anticipated by Dean et al (US 6,414,489 B1).

With regard to claim 1, Dean discloses a magnetic resonance imaging (MRI) device (Figure 1A) comprising a diagnostic space (#32), a main magnetic system for generating a main magnetic field in said diagnostic space (#10), a gradient magnetic coil system comprising a gradient coil for generating at least one gradient of the main magnetic field (#18), and noise reducing means for reducing noise that is generated as a result of vibrations of the gradient coil, characterized in that the noise reducing means comprises a sound-absorbing panel disposed between the gradient coil and the diagnostic space (#30).

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4. With regards to claims 2 and 18, Dean discloses the MRI device of claim 1, characterized in that the sound-absorbing panel has an absorption coefficient in the order of at least 0.5, more preferably in the order of at least 0.75 dB for at least part of the frequency range between 20 Hz and 4000 Hz (columns 3 and 4, lines 52 - 67 and 1 - 22, respectively).
5. With respect to claim 3, Dean discloses the MRI device of claim 1, characterized in that the sound-absorbing panel comprises channels having an open end and a close end (Figures 1 and 2).
6. With respect to claim 4, Dean discloses the MRI device of claim 1, characterized in that said channels extend at least substantially in a direction parallel to the direction between the diagnostic space and the gradient coil (Figures 1 and 2).
7. With respect to claim 5, Dean discloses the MRI device of claim 1, characterized in that the channels extend at least substantially perpendicularly to the direction between the diagnostic space and the gradient coil, at least one the side of their closed ends (Figures 1 and 2).
8. With respect to claim 6, Dean discloses the MRI device of claim 1, characterized in that the open ends of at least some of the channels are present on the side of the associated channels that faces towards the diagnostic spaces (Figures 1 and 2).
9. With respect to claim 7, Dean discloses the MRI device of claim 1, characterized in that the open ends of at least some of the channels are present on the side of the associated channels that face towards the gradient coil (Figures 1 and 2).
10. With respect to claim 8, Dean discloses the MRI device of claim 1, characterized in that the cross dimension of at least a part of the channels on the side of the associated open ends is maximally 15 mm, preferably maximally 10 mm (Column 3, lines 52-65).

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11. With respect to claim 15, Dean discloses the MRI device of claim 1, characterized in that the radio frequency transmission coil system comprises an electrically conductive winding which extends at least in part between at least some of the channels (Figure 1).

12. With respect to claim 16, Dean discloses the MRI device of claim 1, characterized in that the radio frequency transmission coil system comprises at least one electrically conductive layer, with which the sound-absorbing panel is coated on the side of the diagnostic space and which openings are present at the location of any open ends of the channels that may be present on the side of the diagnostic space (Figures 1 and 4).

***Allowable Subject Matter***

13. Claims 10-11 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

14. The following is a statement of reasons for the indication of allowable subject matter:

- a. With respect to claim 10, the claim has been found allowable over the prior art of record because the prior art of record fails to teach or fairly suggest a magnetic resonance imaging (MRI) device characterized in that the cross dimension of the part of the channels on the side of the associated closed ends is larger than a cross dimension of the part of the channels present on the side of the associated open ends with the remaining limitations of claim 9 above.
- b. With respect to claim 11, the claim has been found allowable over the prior art of record because the prior art of record fails to teach or fairly suggest a magnetic resonance

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imaging (MRI) device characterized in that the proportion between the cross dimension of the part of the channels on the side of the associated closed ends and the cross dimension of the part of the channels on the side of the associated open ends is at least in the order of 2.5, preferably at least in the order of 4.0 with the remaining limitations of claim 10.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dixomara Vargas whose telephone number is (571) 272-2252. The examiner can normally be reached on Monday to Thursday from 8:00 am. to 4:30 pm..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Diego Gutierrez can be reached on (571) 272-2245. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Dixomara Vargas  
Art Unit 2859  
October 16, 2006



Diego Gutierrez  
Supervisory Patent Examiner  
Technology Center 2800